

Congress, subject to concurrence by the Senate.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

Mr. HOYER. Reserving the right to object, Mr. Speaker, and I will not object, but if there is any further explanation necessary, I will yield to the gentleman from California.

Mr. THOMAS. Mr. Speaker, since the Portrait Monument was actually placed in the rotunda in the 105th Congress we had created an opportunity for a ceremony in the 104th. Given the rules since the 104th expired, there is no current ability to hold a ceremony. What we are asking for is to bring that ceremony authorized in Concurrent Resolution 216 into the 105th, based upon concurrence by the Senate.

Mr. HOYER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

CORRECTIONS CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Corrections Calendar.

The Clerk will call the bill on the Corrections Calendar.

FEDERAL BENEFICIARY CLARIFICATION ACT

The Clerk called the bill (H.R. 1316) to amend chapter 87 of title 5, United States Code, with respect to the order of precedence to be applied in the payment of life insurance benefits.

The Clerk read the bill, as follows:

H.R. 1316

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DOMESTIC RELATIONS ORDERS.

Section 8705 of title 5, United States Code, is amended—

(1) in subsection (a) by striking “(a) The” and inserting “(a) Except as provided in subsection (e), the”; and

(2) by adding at the end the following:

“(e)(1) Any amount which would otherwise be paid to a person determined under the order of precedence named by subsection (a) shall be paid (in whole or in part) by the Office to another person if and to the extent expressly provided for in the terms of any court decree of divorce, annulment, or legal separation, or the terms of any court order or court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation.

“(2) For purposes of this subsection, a decree, order, or agreement referred to in paragraph (1) shall not be effective unless it is received, before the date of the covered employee's death, by the employing agency or, if the employee has separated from service, by the Office.

“(3) A designation under this subsection with respect to any person may not be changed except—

“(A) with the written consent of such person, if received as described in paragraph (2); or

“(B) by modification of the decree, order, or agreement, as the case may be, if received as described in paragraph (2).

“(4) The Office shall prescribe any regulations necessary to carry out this subsection, including regulations for the application of this subsection in the event that 2 or more decrees, orders, or agreements, are received with respect to the same amount.”.

The SPEAKER pro tempore. Pursuant to the rule, the bill is considered read for amendment.

COMMITTEE AMENDMENT IN THE NATURE OF A SUBSTITUTE

The SPEAKER pro tempore. The Clerk will report the amendment recommended by the Committee on Government Reform and Oversight.

The Clerk read as follows:

Committee amendment in the nature of a substitute: strike out all after the enacting clause and insert:

SECTION 1. DOMESTIC RELATIONS ORDERS.

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“(3) A designation under this subsection with respect to any person may not be changed except—

“(A) with the written consent of such person, if received as described in paragraph (2); or

“(B) by modification of the decree, order, or agreement, as the case may be, if received as described in paragraph (2).

“(4) The Office shall prescribe any regulations necessary to carry out this subsection, including regulations for the application of this subsection in the event that 2 or more decrees, orders, or agreements, are received with respect to the same amount.”.

SEC. 2. DIRECTED ASSIGNMENT.

Section 8706(e) of title 5, United States Code, is amended—

(1) by striking “(e)” and inserting “(e)(1)”; and

(2) by adding at the end the following:

“(2) A court decree of divorce, annulment, or legal separation, or the terms of a court-approved property settlement agreement incident to any court decree of divorce, annulment, or legal separation, may direct that an insured employee or former employee make an irrevocable assignment of the employee's or former employee's incidents of ownership in insurance under this chapter (if there is no previous assignment) to the person specified in the court order or court-approved property settlement agreement.”.

Mr. MICA (during the reading). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Florida [Mr. MICA] and the gentleman from Maryland [Mr. CUMMINGS] each will control 30 minutes.

The Chair recognizes the gentleman from Florida [Mr. MICA].

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, today and at this time is a time we have designated for technical corrections. This is a procedure that was instituted by the Republican leadership when we assumed majority control of the Congress, and it is an effort to try to expedite legislation technical in nature but necessary for the conduct of business both for the Congress and in the operation of our Federal Government, and that is the purpose of our proceedings here this morning.

Today we take up a bill in rapid order. It has moved through our Subcommittee on Civil Service and through the full Committee on Government Reform and Oversight to the floor today in rapid time and was introduced by the distinguished gentleman from Georgia [Mr. COLLINS]. And let me say, Mr. Speaker, that this bill, H.R. 1316, addresses an inequity in the Federal Government Employees Group Life Insurance program.

Under current law, domestic relations orders such as divorce decrees or property settlement agreements do not affect the payment of life insurance proceeds. Instead, distribution of the proceeds is controlled by statute. When the policyholder dies, the proceeds are paid to the beneficiary designated by the policyholder, if there is one, or to other individuals specified by statute.

H.R. 1316, which again is introduced by the gentleman from Georgia [Mr. COLLINS], amends the law to require that the Office of Personnel Management should pay the proceeds in accordance with certain domestic relations orders or court-approved property settlements. This is similar to the law's treatment of retirement annuities, which the Office of Personnel Management must also allocate in accordance with divorce decrees.

The bill also allows courts to direct an employee to assign the policy to a specific individual identified in a domestic relations order or court-approved property settlement agreement. Thus, employees will not be able to frustrate these orders by terminating the policy.

Mr. Speaker, the technical corrections made in this legislation, H.R. 1316, provide a greater protection for former spouses of Federal employees and children of previous marriages.

This bill has a broad bipartisan support, and I want to take just a moment to commend the gentleman from Maryland [Mr. CUMMINGS], the distinguished ranking member of the Subcommittee on Civil Service, for his work and leadership in expediting this legislation. I also want to thank other members of

the committee, including the gentleman from Maryland [Mrs. MORELLA], the gentleman from New Jersey [Mr. PAPPAS], our vice chairman, and others who are not on the committee, the gentleman from Virginia [Mr. WOLF], the gentleman from Virginia [Mr. DAVIS], and others who have supported expediting of this legislation to benefit our Federal employees.

Mr. Speaker, I reserve the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I support H.R. 1316, which does nothing more than make a technical correction in the Federal Employees Group Life Insurance Program. I want to thank the gentleman from Georgia [Mr. COLLINS] and the gentleman from Florida [Mr. MICA], our distinguished chairman, for their leadership in bringing this very important measure to the House floor today.

As the gentleman from Florida [Mr. MICA] indicated, this bill simply ensures that a domestic relations order issued by a court is considered a binding designation of a beneficiary by an employee's agency or the Office of Personnel Management. Under current law, domestic relations orders such as divorce decrees or property settlement agreements do not affect the payment of life insurance proceeds. Instead, when the policyholder dies, the proceeds are paid to the beneficiary designated by the policyholder, if any, or to other individuals as specified by statute.

Because an employee could still frustrate the court order by terminating the policy, the bill was amended in committee to allow courts to direct the employee to assign the policy to a specific individual.

I also want to take time, Mr. Speaker, to recognize those people in our committee on our side. Of course, the gentleman from Florida [Mr. MICA] has already recognized the members on the Republican side, but the gentleman from Tennessee [Mr. FORD] and the gentleman from the District of Columbia [Ms. NORTON] were also very instrumental in bringing this resolution to the House floor as swiftly as we have.

Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield 3 minutes to the gentleman from Georgia [Mr. COLLINS], the distinguished author of this legislation.

Mr. COLLINS. Mr. Speaker, I thank the gentleman from Florida for yielding me this time.

Mr. Speaker, H.R. 1316 will amend the Federal Employee Group Life Insurance Act and ensure that there is a level playing field between State laws that govern private insurance and Federal statute that provides guidelines for life insurance policies held by Federal employees.

This legislation will clarify that a domestic relations order, issued by a court, is considered a designation of

beneficiary in the event that no designation of beneficiary has been filed.

Currently, if a Federal employee dies without properly naming a beneficiary for their life insurance policy, the law provides a strict prioritized list of individuals that are eligible to receive the benefits of that policy. Unlike most State laws, the Federal Code does not provide for consideration of an existing court decree that may link that policy to a beneficiary as a part of a settlement agreement. There are real instances where this inequity in Federal law is causing confusion for Federal employees who are beneficiaries. This legislation will correct this inconsistency and ensure that a court decree is given appropriate consideration.

The Department of Health and Human Services, the Child Support Division and the Office of Personnel Management have reviewed the legislation and do not oppose this change. I have appeared before the Corrections Advisory Group chaired by the gentleman from Michigan [Mr. CAMP] and have their support, and during the 104th Congress this is actually part of the Omnibus Civil Service Reform Act as reported by the committee, and additionally the legislation was favorably reported by the Subcommittee on Civil Service, Committee on Government Reform and Oversight.

My thanks to the gentleman from Florida [Mr. MICA], the gentleman from Indiana [Mr. BURTON], and the gentleman from Maryland [Mr. CUMMINGS] and the committee group, committee members, for their support and work on this bill at the subcommittee and committee levels.

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I appreciate the opportunity to bring this bill, H.R. 1316, before the House for consideration and urge my colleagues to support this important legislation.

Mr. Speaker, I yield back the balance of my time.

Mr. CUMMINGS. Mr. Speaker, I yield 3 minutes to the gentleman from Maryland [Mr. HOYER], dean of the Maryland delegation, who has worked over the years on these issues and played a major, major role in this House.

Mr. HOYER. Mr. Speaker, I thank the gentleman from Maryland [Mr. CUMMINGS], the distinguished ranking member, for yielding.

Mr. Speaker, I rise in strong support of this legislation and congratulate the gentleman from Georgia for bringing this forward. I regret that I did not focus on it earlier, for I would, and have discussed with the committee, an additional what I believe to be also a technical correction.

This deals with life insurance; it does not, however, impact the annuity payment of a survivor that would also be part of a domestic relations divorce or domestic agreement resolution. As a result, I want to thank the gentleman from Florida [Mr. MICA], chairman of the committee, and the staff, as well as the gentleman from Maryland [Mr.

CUMMINGS], both of whom I have talked to about this problem.

It was too late in the cycle and we would have slowed this bill down, but we did not want to do that, because this is effecting an excellent solution to an existing problem. But I want to thank the chairman for agreeing to address this issue in future legislation. It is my understanding that there will be some legislation coming along, either in July or shortly thereafter, and I believe this is an important step forward, but I believe the spouse, in a resolution of a case dealing with the annuity as opposed to life insurance, finds themselves in exactly the same situation as it relates to their ability, pursuant to court order, and/or pursuant to agreement, particularly when that court order incorporates an agreement of the parties. It seems perverse that we do not have the same kind of positive dealing in that instance.

So I congratulate the gentleman from Georgia. I thank the chairman and the ranking member for their agreement to address that issue as soon as possible.

Mr. CUMMINGS. Mr. Speaker, I reserve the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself such time as I may consume.

I would like to comment that I have committed to the gentleman from Maryland [Mr. HOYER] who indeed is a leader in civil service issues, to address the problem he has enumerated on the floor today. We look forward to working with him as we move new legislation through the Congress.

Mr. Speaker, I yield 5 minutes to the distinguished gentleman from Michigan [Mr. CAMP].

Mr. CAMP. Mr. Speaker, as chairman of the Corrections Advisory Group, I am pleased to again appear before the House under the Corrections Calendar to correct an unintended consequence of current law.

Passage of this bill will once again place the scissors of efficiency on the hunt for redtape.

My distinguished colleague from Georgia, Mr. COLLINS, a fellow member of the Committee on Ways and Means, introduced H.R. 1316 on April 14, 1997, to correct what we all agree was an unintentional byproduct of Federal law affecting Federal employees.

There is a law of physics that says for every action there is an equal and opposite reaction. Unfortunately, there is no law that says these reactions must be beneficial.

Currently when a Federal beneficiary dies, the Federal life insurance benefits are granted to the individual named as beneficiary. If, however, no beneficiary has been named, there may be uncertainty and turmoil that can result. So in these trying times, families are often faced with difficult decisions on benefits and are made to face court challenges from others who seek to take advantage of the Federal employee's inaction in naming a beneficiary.

Unfortunately, under current law, State domestic relations orders such as

divorce decrees or property settlements do not affect the life insurance payments of Federal employees if no beneficiary has been named. So the net effect of current law can punish children and family members because of the benefactor's failure to designate a new beneficiary.

H.R. 1316 could require the Office of Personnel Management to pay the Federal employee's insurance proceeds in accordance with State domestic relations orders. This would make sure that, in the event that no beneficiary had been named, the life insurance benefits are granted to family members and children as based on State court orders. This small change will ensure that family and children are cared for.

I want to thank the chairman and ranking member of the subcommittee and I want to thank my colleague, the gentleman from Georgia [Mr. COLLINS]. This is the second bill reported by the corrections committee to be considered on the House floor. The first, the nurse aide training bill, was introduced, passed by the House and Senate and signed into law in 2 months.

It is the unique quality of the corrections committee that brings these bills to the floor in a streamlined way.

The committee works in a bipartisan manner. We work with the committee chairs who handle these issues and we are able to forge a consensus among Members and bring needed improvements and changes to the House floor. This legislation before us today enjoys strong bipartisan support, and again I commend my colleagues for introducing this improvement to our Nation's laws.

Mr. Speaker, I urge my colleagues to adopt this bill.

Mr. CUMMINGS. Mr. Speaker, I yield myself such time as I may consume.

I want to address a few issues that the gentleman from Florida [Mr. MICA] spoke on. First of all, I want to thank the chairman for the bipartisan way in which he has worked with myself and the gentleman from Maryland [Mr. HOYER]. I think it is extremely important, the issues that he has brought up. And in that spirit of bipartisanship which we have shared since I have been the ranking member, I just want to thank the gentleman again for his cooperation, because I know it is a major issue for the gentleman from Maryland [Mr. HOYER] and many other people throughout the Nation.

Mr. Speaker, this noncontroversial legislation passed the House last year as part of the omnibus civil service bill. That comprehensive legislation was not enacted. Therefore, it is appropriate that we bring forward this bipartisan bill, and I urge my colleagues on both sides of the aisle to vote favorably.

Mr. Speaker, I yield back the balance of my time.

Mr. MICA. Mr. Speaker, I yield myself the balance of my time.

Just in closing, I would like to also thank again our ranking member, the

gentleman from Maryland [Mr. CUMMINGS], for the bipartisan manner in which this legislation has been handled. I am pleased that we could participate in this Corrections Day in this manner and make a correction to legislation in a bipartisan fashion. It shows, first, that the Congress does work; and, second, that the government system does function when we see a problem that can be corrected, when we are all rowing in the same direction.

So I am pleased again for the leadership provided by the gentleman from Georgia [Mr. COLLINS] in introducing this legislation and the bipartisan support we have had in passing this legislation today, bringing it before the House.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. RADANOVICH). Pursuant to the rule, the previous question is ordered on the amendment recommended by the Committee on Government Reform and Oversight and on the bill.

The question is on the committee amendment in the nature of a substitute.

The committee amendment in the nature of a substitute was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time.

The SPEAKER pro tempore. The question is on the passage of the bill.

The question was taken; and (three-fifths having voted in favor thereof) the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. MICA. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 1316, the bill just passed.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

DISAPPROVAL OF MOST-FAVORED-NATION TREATMENT FOR CHINA

Mr. CRANE. Mr. Speaker, pursuant to the order of yesterday, I call up the joint resolution (H.J. Res. 79) disapproving the extension of nondiscriminatory treatment—most-favored-nation treatment—to the products of the People's Republic of China, and ask for its immediate consideration in the House.

The Clerk read the title of the joint resolution.

The text of House Joint Resolution 79 is as follows:

H.J. RES. 79

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Congress does not approve the extension of the authority

contained in section 402(c) of the Trade Act of 1974 recommended by the President to the Congress on May 29, 1997, with respect to the People's Republic of China.

The SPEAKER pro tempore [Mr. LAHOOD]. Pursuant to the order of the House of Monday, June 23, 1997, the gentleman from Illinois [Mr. CRANE], and a Member in support of the joint resolution each will control 1 hour and 45 minutes.

The Chair recognizes the gentleman from Illinois [Mr. CRANE].

GENERAL LEAVE

Mr. CRANE. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous matter on House Joint Resolution 79.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. CRANE. Mr. Speaker, I ask unanimous consent to yield one-half of my time to the gentleman from California [Mr. MATSUI] in opposition to the resolution, and I further ask that he be permitted to yield blocks of time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. Is the gentleman from California [Mr. STARK] in favor of the resolution?

Mr. STARK. I am, Mr. Speaker.

I ask unanimous consent that I be yielded half of the time and that I be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STARK. Mr. Speaker, I ask unanimous consent to yield half of my time to the distinguished gentleman from Kentucky [Mr. BUNNING], and that he in turn be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BUNNING. Mr. Speaker, I ask unanimous consent to yield 15 minutes to the gentleman from New York [Mr. SOLOMON], chairman of the Committee on Rules and that he be permitted to control that time.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois [Mr. CRANE].

Mr. CRANE. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in opposition to House Joint Resolution 79 because revoking China's MFN trade status would have the effect of severing trade relations between our two countries. My firm belief is that the free exchange of commerce and ideas offers the best hope we have to project the